

A-11 (rev. 5/00)

Page 1 of 2



USCA DOCKET # (IF KNOWN)

UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT CIVIL APPEALS DOCKETING STATEMENT

PLEASE ATTACH ADDITIONAL PAGES IF NECESSARY.

TITLE IN FULL:

MATTHEW KUOLT

VS.

STATE OF HAWAII

Dept of Public Safety

MD. RAY BAUMAN, Oahu Community
CORRECTIONAL CENTER MEDICAL UNIT
DR. ZIENKIEWICZ, DOE DEFENDANTS
CLAYTON FRANK

DISTRICT: HAWAII

JUDGE: HELEN GILMORE

DISTRICT COURT NUMBER:

04-00489 HG-KSC

DATE NOTICE OF APPEAL

FILED: 1/30/2006

IS THIS A CROSS-APPEAL?

☐ YESIF THIS MATTER HAS BEEN BEFORE THIS COURT PREVIOUSLY, PLEASE
PROVIDE THE DOCKET NUMBER AND CITATION (IF ANY):

NO

BRIEF DESCRIPTION OF NATURE OF ACTION AND RESULT BELOW:

INADEQUATE TIMELY MEDICAL CARE FOR A SERIOUS AND OBVIOUS INJURY
(BROKEN TAIL) DELIBERATE INDIFFERENCE - BECAUSE OF INADEQUATE
TIMELY CARE FOR SERIOUS INJURY PERMANENT INJURIES OCCURED, RECKLESS
ENDANGERMENT RECKLESS DISREGARD IN NOT SETTING BROKEN BONE AT TIME
OF INJURY (INADEQUATE DISCOVERY) SUPPLEMENTAL JURISDICTION, DISMISSAL WITH
PREJUDICE

PRINCIPAL ISSUES PROPOSED TO BE RAISED ON APPEAL:

INADEQUATE TIMELY MEDICAL CARE
FOR AN OBVIOUS AND SERIOUS INJURY (BROKEN TAIL) DELIBERATE INDIFFERENCE, RECKLESS
ENDANGERMENT, RECKLESS DISREGARD, FUTURE RISK OF HARM CREATED, PAIN AND
SUFFERING AND PERMANENT INJURIES, OBVIOUS SERIOUS INJURY OBSERVABLE PRO SE
STATUS NEXT TO NO LEGAL KNOWLEDGE OR UNDERSTAND OF HOW TO PROCEED OR ARGUE
INSTANT CASE VERY LIMITED LEGAL KNOWLEDGE AND LITIGATION DISMISSAL WITH PREJUDICE

PLEASE IDENTIFY ANY OTHER LEGAL PROCEEDING THAT MAY HAVE A BEARING ON THIS CASE (INCLUDE PENDING DISTRICT
COURT POSTJUDGMENT MOTIONS):

Never received Findings and recommendation to grant
Defendants' motions For Summary Judgment. Only how 02-06-2006 have I received
this important document. Having no information for my opposition.

DOES THIS APPEAL INVOLVE ANY OF THE FOLLOWING:

☐ Possibility of settlement☐ Likelihood that intervening precedent will control outcome of appeal☐ Likelihood of a motion to expedite or to stay the appeal, or other procedural matters (Specify) _____☐ Any other information relevant to the inclusion of this case in the Mediation Program _____☐ Possibility parties would stipulate to binding award by Appellate Commissioner in lieu of submission to judges

LOWER COURT INFORMATION

JURISDICTION		DISTRICT COURT DISPOSITION	
FEDERAL	APPELLATE	TYPE OF JUDGMENT/ORDER APPEALED	RELIEF
<input type="checkbox"/> FEDERAL QUESTION <input type="checkbox"/> DIVERSITY <input type="checkbox"/> OTHER (SPECIFY):	<input type="checkbox"/> FINAL DECISION OF DISTRICT COURT <input type="checkbox"/> INTERLOCUTORY DECISION APPEALABLE AS OF RIGHT <input type="checkbox"/> INTERLOCUTORY ORDER CERTIFIED BY DISTRICT JUDGE (SPECIFY): <input type="checkbox"/> OTHER (SPECIFY):	<input type="checkbox"/> DEFAULT JUDGMENT <input type="checkbox"/> DISMISSAL/JURISDICTION <input type="checkbox"/> DISMISSAL/MERITS <input type="checkbox"/> SUMMARY JUDGMENT <input type="checkbox"/> JUDGMENT/COURT DECISION <input type="checkbox"/> JUDGMENT/JURY VERDICT <input type="checkbox"/> DECLARATORY JUDGMENT <input type="checkbox"/> JUDGMENT AS A MATTER OF LAW <input type="checkbox"/> OTHER (SPECIFY):	<input type="checkbox"/> DAMAGES: SOUGHT \$ _____ AWARDED \$ _____ <input type="checkbox"/> INJUNCTIONS: <input type="checkbox"/> PRELIMINARY <input type="checkbox"/> PERMANENT <input type="checkbox"/> GRANTED <input type="checkbox"/> DENIED <input type="checkbox"/> ATTORNEY FEES: SOUGHT \$ _____ AWARDED \$ _____ <input type="checkbox"/> PENDING <input type="checkbox"/> COSTS: \$ _____

CERTIFICATION OF COUNSEL

I CERTIFY THAT:

1. COPIES OF ORDER/JUDGMENT APPEALED FROM ARE ATTACHED.
2. A CURRENT SERVICE LIST OR REPRESENTATION STATEMENT WITH TELEPHONE AND FAX NUMBERS IS ATTACHED (SEE 9TH CIR. RULE 3-2).
3. A COPY OF THIS CIVIL APPEALS DOCKETING STATEMENT WAS SERVED IN COMPLIANCE WITH FRAP 25.
4. I UNDERSTAND THAT FAILURE TO COMPLY WITH THESE FILING REQUIREMENTS MAY RESULT IN SANCTIONS, INCLUDING DISMISSAL OF THIS APPEAL.

PRO se plaintiff Matthew Kvolt
Signature

Feb-7-06
Date

COUNSEL WHO COMPLETED THIS FORM

NAME: Matthew Kvolt - PRO se

FIRM:

ADDRESS: TCCF 295 Hwy 49 South
Tutwiler, MS 38963
D-6

E-MAIL:

TELEPHONE:

FAX:

THIS DOCUMENT SHOULD BE FILED IN THE DISTRICT COURT WITH THE NOTICE OF APPEAL
 IF FILED LATE, IT SHOULD BE FILED DIRECTLY WITH THE U.S. COURT OF APPEALS